

# Wetlands Bureau Decision Report

Decisions Taken  
10/06/2014 to 10/12/2014

MAT  
Review  
10-13-14

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

## MAJOR IMPACT PROJECT

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### 2013-01311 TOWN OF GRANTHAM GRANTHAM Skinner Brook

#### Requested Action:

Proposal to move the bridge five feet upstream and decrease the proposed length of the bridge from fifty feet to forty feet due to construction access restrictions. The overall impacts will be reduced from 4,267 to 3,970 square feet.

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#### APPROVE AMENDMENT:

Dredge and fill 3,970 square feet of the bed and banks of Skinner Brook to replace four 48 inch culverts with a pre-cast open arch 24 feet wide by 7 feet high and to install a dry hydrant. Work in jurisdiction includes 1,125 square feet of temporary impacts for the installation of erosion/turbidity controls.

#### With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC entitled Town of Grantham, NH: Olde Farms Road Bridge Replacement (Sheets 1-5 of 5) dated May 15, 2013 as revised 8-26-14 and as received by the Department on September 26, 2014.
2. The Town of Grantham shall obtain easements from any affected landowners and shall supply copies of the easements to DES Wetlands File No. 2013-01311 prior to construction.
3. Materials used to emulate a natural channel bottom within the culvert must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
8. No equipment shall enter the water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
22. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

DES reaffirms findings 1 through 8 with additional findings:

1. This is a major project per NH Administrative Rule Env-Wt 303.02 (p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01. The existing stream crossing consistently overtops in flood events.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is being funded with hazard mitigation grant from the Federal Emergency Management Agency.
6. A Professional Engineer stated that the proposed structure is capable of conveying the anticipated flows received in the 100 flows received in a 100-year storm.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resources, as identified under RSA 482-A:1.
9. On September 26, 2014 DES received a proposed amendment request.
10. The applicant is requesting to reconfigure the proposed bridge location due to a construction access conflict with the existing utility location and OSHA rules. The applicant is proposing to move the bridge five feet upstream and decrease the proposed length of the bridge from fifty feet to forty feet. The overall impacts will be reduced from 4,267 to 3,970 square feet.
11. The permit has been amended to include the revised bridge location.

**2014-02128**

**PUBLIC SERVICE COMPANY OF NH**

**TROY**

**Requested Action:**

Proposal to dredge and fill 132,573 sq. ft. of forested, scrub shrub and emergent wetlands (includes 131,941 sq. ft. of temporary impacts and 632 sq. ft. of permanent impact) for construction of a new 115kV transmission line, identified as Q166 transmission line leading from the Monadnock Substation in Troy to the Fitzwilliam Substation in Fitzwilliam.

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**Conservation Commission/Staff Comments:**

1. No comments were received from the Town of Troy or Town of Fitzwilliam Conservation Commissions.

**APPROVE PERMIT:**

Dredge and fill 132,573 sq. ft. of forested, scrub-shrub and emergent wetlands (includes 131,941 sq. ft. of temporary impacts and 632 sq. ft. of permanent impact) for construction of a new 115kV transmission line, identified as Q166 transmission line leading from the Monadnock Substation in Troy to the Fitzwilliam Substation in Fitzwilliam. Compensatory Mitigation for US Army Corps Of Engineers consists of a one-time payment of \$174,990.62 dollars into the Aquatic Resource Mitigation Fund ("ARM").

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc., dated July 2014 and narratives, as received by the NH Department of Environmental Services (DES) on August 5, 2014.
2. This permit is contingent on a one-time payment of \$174,990.62 dollars into the Aquatic Resource Mitigation Fund ("ARM"). The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. Work shall be done during low flow.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
5. Temporary wetlands impacts shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades.
6. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
7. The temporary wetland impact areas shall have at least 75% successful establishment of wetlands vegetation after one full growing season, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The new transmission line is needed to support current and future electricity demands.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The new 115kV transmission line identified as the Q166 transmission line will utilize .75 mile of the existing 382 distribution line right-of-way and the remaining 1.75 miles will be cleared adjacent to the existing cleared right-of-way.
6. There is not enough line clearance to utilize all of the existing cleared right-of-way.
7. A majority of the wetland impacts will be for temporary access to clear the right-of-way and install the new line and utility poles.
8. Permanent wetland impacts consists of 632 sq. ft. for installation of the new utility poles.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

10. The United States Army Corps of Engineers ("ACOE") is requiring compensatory mitigation for a portion (76,938 sq. ft.) of the temporary wetlands impact and for conversion of 77,998 sq. ft. of forested wetlands.

11. The compensatory mitigation for the ACOE consists of a one-time payment into the department's Aquatic Resource Mitigation Fund ("ARM") of \$174,990.62 dollars.

12. The project is located in the Town of Troy and the Town of Fitzwilliam.

13. DES has not received any comments in objection to the proposed project.

14. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine and riverine resource, as identified under RSA 482-A:1.1.

15. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

16. The payment into the ARM fund shall be deposited in the DES fund for the Lower Connecticut River watershed per RSA 482-A:29.

## MINOR IMPACT PROJECT

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**2013-02524                      580 WINNICUNNET RD INC**  
**HAMPTON Meadow Pond**

### Requested Action:

Request name change to: 580 Winnacunnet RD, Inc.

Impact a total of 9,185 sq. ft. (7,234 sf permanent & 1,951 sf temporary construction impacts) in the previously developed upland tidal buffer zone for work associated with the redevelopment of a former motel site to condominiums with associated parking, a swimming pool and utilities.

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### Conservation Commission/Staff Comments:

9/20/13 Per DHR, no historic properties affected.

The Hampton Conservation Commission does not oppose the granting of the permit.

Inspection Date: 10/06/2013 by Frank D Richardson

### APPROVE NAME CHANGE:

Change name and address to: 580 Winnacunnet RD, Inc.; 93 Winnacunnet Road #10, Hampton, NH 03842

Impact a total of 9,185 sq. ft. (7,234 sf permanent & 1,951 sf temporary construction impacts) in the previously developed upland tidal buffer zone for work associated with the redevelopment of a former motel site to condominiums with associated parking, a swimming pool and utilities.

### With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 9/10/13 (last revised 11/20/13), as received by the NH Department of Environmental Services (DES) on November 26, 2013.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. There will be no snow dumping or snow storage within 50 feet of Eel Ditch.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

2014-01473

**COOPER, WILLIAM**

**AUBURN Calef Lake**

Requested Action:

Dredge and fill a total of 6,269 sq. ft. in a combination of palustrine, lacustrine and riverine wetlands for work associated with the reconstruction of the Calef Lake Dam spillway and dam embankment to bring the structure into compliance with NH DES Dam Bureau standards per a Letter of Deficiency issued March 2, 2011.

In addition, pro-active restoration of 480 linear feet of stream bed below the dam will involve the removal of 4,429 sq. ft. accumulated sediments and debris which are the result significant storm events, including major flooding which occurred in 2006. 1,617 sq. ft. of temporary construction impacts will be restored to preexisting conditions as practicable.

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Conservation Commission/Staff Comments:

No comments were received from the Auburn Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 6,269 sq. ft. in a combination of palustrine, lacustrine and riverine wetlands for work associated with the reconstruction of the Calef Lake Dam spillway and dam embankment to bring the structure into compliance with NH DES Dam Bureau standards per a Letter of Deficiency issued March 2, 2011.

In addition, pro-active restoration of 480 linear feet of stream bed below the dam will involve the removal of 4,429 sq. ft. accumulated sediments and debris which are the result significant storm events, including major flooding which occurred in 2006. 1,617 sq. ft. of temporary construction impacts will be restored to preexisting conditions as practicable.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated June 2014, as received by the NH Department of Environmental Services (DES) on June 10, 2014.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. Work shall be done during drawdown.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The pro-active restoration of the stream below the dam to remove accumulated flood water deposited sediments and debris provides compensatory mitigation to support the implementation of this project.

**2014-01573                      381 MAMMOTH ROAD LLC**  
**LONDONDERRY   Musquash Wetland**

**Requested Action:**

Dredge and fill a total of 9,860 sq. ft. in palustrine forested/scrub-shrub wetlands to construct a roadway, with drainage structures, to access a residential development consisting of 27 single family detached homes.

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**Conservation Commission/Staff Comments:**

6/10/14 Per DHR, an archaeological site is located within project area. Phase I survey required in order to make informed comment. See letter in file.

7/21/14 Per DHR, it has been determined from information provided that there are no known properties of archeological significance within the area of the undertaking's potential impact and no further identification or evaluative studies are recommended.

06/24/14 Con. Com. voted to recommend approval of the Dredge and Fill as presented.

US EPA NHPGP review states: "Eligible as proposed"

**APPROVE PERMIT:**

Dredge and fill a total of 9,860 sq. ft. in palustrine forested/scrub-shrub wetlands to construct a roadway, with drainage structures, to access a residential development consisting of 27 single family detached homes.

**With Conditions:**

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated May 10, 2014, as received by the NH Department of Environmental Services (DES) on June 17, 2014.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Londonderry Conservation Commission recommends approval of the application.
6. US EPA NH PGP review states: "Eligible as proposed."

**2014-01646                      SCIUTO, J RICHARD**  
**MANCHESTER   Merrimack River**

Requested Action:

Replace 49 linear feet of retaining wall, install a 6 ft. x 22 ft. seasonal wharf accessed by a 6 ft. x 10 ft. seasonal ramp, stabilize a 9 ft. x 61 ft. boat ramp with GeoWeb, on the Merrimack River, Manchester.

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Conservation Commission/Staff Comments:

Con Com issued a letter with several comments

APPROVE PERMIT:

Replace 49 linear feet of retaining wall, install a 6 ft. x 22 ft. seasonal wharf accessed by a 6 ft. x 10 ft. seasonal ramp, stabilize a 9 ft. x 61 ft. boat ramp with GeoWeb, on the Merrimack River, Manchester.

With Conditions:

1. All work shall be in accordance with plans by NH Springs Environmental Consulting revision dated September 02, 2014, as received by the NH Department of Environmental Services (DES) on September 02, 2014.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee.
3. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into the Merrimack River.
8. There shall be no cutting of trees or removal of any stumps from the bank.
9. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
10. This docking structure shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
11. Seasonal pier shall be removed from the lake for the non-boating season.
12. No portion of the pier shall extend more than 15 feet from the shoreline at full lake elevation.
13. This permit is contingent on approval by PSNH for the proposed impacts. No work shall be conducted until approval by PSNH.
14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the



Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 63 feet of shoreline frontage along the Merrimack River.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Less Than 75'.
7. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. The applicant submitted information from the prior owner indicating the boatramp is a grandfathered structure and not abandoned.
9. The applicant submitted stamped and signed plans from a licensed engineer for the proposed wall.
10. The applicant submitted information addressing the comments by the Manchester Conservation Commission.

**2014-02067                      SHORE ROAD THIRTEEN NOMINEE TRUST**  
**HOPKINTON   Unnamed Wetland**

Requested Action:

After-the-Fact approval to retain and complete 664 sq. ft. impacts to a man-made wetlands swale for access to a proposed single family residence. Work consists of a installation of a 24 in. x 30 ft. culvert with associated grading and filling, headwall construction and construction of a subgrade swale crossing.

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APPROVE AFTER THE FACT:

After-the-Fact approval to retain and complete 664 sq. ft. impacts to a man-made wetlands swale for access to a proposed single family residence. Work consists of a installation of a 24 in. x 30 ft. culvert with associated grading and filling, headwall construction and construction of a subgrade swale crossing.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environment Consultants LLC revision date 9/30/14, as received by the NH Department of Environmental Services (DES) on October 1, 2014.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on restoration of 8,458 sq. ft. of wetlands swale in accordance with the DES Wetlands Bureau, Restoration Plan Approval letter dated October 9, 2014, File #2014-00512.
5. A Certified Wetland Scientist ("CWS") shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The work is needed to stabilize and restore non-permitted wetland impact areas and provide access for maintenance and to a proposed home site.
4. The after-the-fact application is associated with an ongoing compliance case, Wetlands Bureau Compliance File #2014-00512, for impacts to wetlands without a permit.
5. The applicant is restoring 8,458 sq. ft. of wetlands (includes removal of a culvert and replacement of an existing crossing, and wetland swale restoration), Wetlands Bureau Compliance File #2014-00512, and retaining 664 sq. ft. of wetland impacts for a new culvert crossing to access a proposed home and a at grade reinforced swale crossing for access to the lower portion of the proposed home.
6. The approval is contingent on approval by the NHDES Alteration of Terrain Bureau.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.
8. The non-permitted culvert installed adjacent to the abutting property has been removed.
9. The Wetlands Bureau, Compliance Section indicated that the applicant has addressed the compliance issues.

**2014-02194                      NH DEPARTMENT OF FISH & GAME**  
**GREENFIELD   Otter Lake**

Requested Action:

Impact 1120 sq. ft. of bed and bank to upgrade an existing public access boatramp by constructing a 12 ft. x 72 ft. concrete ramp on Otter Lake, Greenfield.

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Conservation Commission/Staff Comments:

Per DHR, no historic properties affected.

APPROVE PERMIT:

Impact 1120 sq. ft. of bed and bank to upgrade an existing public access boatramp by constructing a 12 ft. x 72 ft. concrete ramp on Otter Lake, Greenfield.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford and Thorndike LLC dated July 18, 2014, as received by the NH Department of Environmental Services (DES) on August 08, 2014.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of

- the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
  4. Work shall be done during draw down.
  5. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
  6. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Otter Lake.
  7. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
  8. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
  9. The permittee shall be responsible for the following:
    - a. providing a handicapped parking spot,
    - b. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.
  10. The boat ramp shall be utilized indefinitely as a public access to Otter Lake and shall not change in use.
  11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project provides public access to Otter Lake.

**2014-02596                      NH DEPT OF TRANSPORTATION**  
**HARRISVILLE   Silver Lake**

Requested Action:

Replace twin 36 in. culverts with an 8.5 ft. (w) x 6 ft. (h) open bottom arch and headwalls temporarily impacting 1,100 sq. ft. (123 linear ft.) of bank and shoreline.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Replace twin 36 in. culverts with an 8.5 ft. (w) x 6 ft. (h) open bottom arch and headwalls temporarily impacting 1,100 sq. ft. (123 linear ft.) of bank and shoreline. NHDOT project #29568

With Conditions:

1. All work shall be in accordance with undated plans by NHDOT Highway Maintenance District 4, as received by the Department on Sept. 15, 2014.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Installation of a cofferdam shall be done during periods of low flow.

4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), alteration of between 50 and 200 linear feet of shoreline and banks of a pond or lake.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

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**2013-00530                      UNION SCHOOL DISTRICT**  
**KEENE   Tenant Swamp**

Requested Action:

Proposal to reduce the boardwalk by 75 linear feet, add an octagonal platform at one intersection and add two "bump outs".

\*\*\*\*\*

APPROVE AMENDMENT:

Dredge and fill 985 square feet of Tenant Swamp to construct an 775 linear foot raised boardwalk and outdoor classroom at the

Keene Middle School for educational use.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Land Use Consultants, LLC, and dated 12/10/12, as received by the Department on February 25, 2013, and detail plans submitted by Peter S. Jensen & Associates, LLC via email on January 13, 2014, and dated December 2013 and as revised by detail plans and narratives submitted by Peter S. Jensen & Associates, LLC via email on 10/8/2014.
2. Work shall be done during low flow conditions.
3. No wheeled or tracked machinery shall enter the wetland.
4. Wildlife friendly erosion control netting shall be used in place of welded plastic netting.
5. Staff on-site shall be made aware of the potential to encounter wood turtle and report sightings of wood turtle and rare reptiles to the NHFG Reptile and Amphibian Reporting Program (RAARP) online at: <http://nhwildlifesightings.unh.edu> or via email at: [RAARP@wildlife.nh.gov](mailto:RAARP@wildlife.nh.gov).
6. Sightings of wood or spotted turtles laying eggs shall be reported, for instruction, to [kim.tuttle@wildlife.nh.gov](mailto:kim.tuttle@wildlife.nh.gov) or [michael.n.marchand@wildlife.nh.gov](mailto:michael.n.marchand@wildlife.nh.gov).
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Construction shall be conducted in a manner to prevent accidental encroachment of wetlands outside of the construction area; such as the use of orange construction fencing to demark the construction area.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

DES reaffirms the following original findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamp or wet meadow.
2. Board walk construction will be completed by hand and will not require the use of wheeled or tracked equipment in Tenant Swamp.
3. The boardwalk and outdoor classroom will be available to the students of the Keene Middle School, the Jonathan Daniels Elementary School and will be available to the general public for seminars and learning experiences.
4. The Natural Heritage Bureau Review report documented the presence of wood turtle in the project's vicinity.
5. Follow-up email correspondence on January 28, 2013 with the New Hampshire Department of Fish and Game (NHFG) Nongame and Endangered Species Program indicated that they do not expect direct impacts to wood turtle. NHFG also recommended: 1) Avoiding the use of welded plastic netting; and 2) That staff is made aware of the potential to encounter wood turtle and report rare reptile and turtle sightings to the NHFG Reptile and Amphibian Reporting Program (RAARP).
6. In correspondence received January 16, 2013, the New Hampshire Department of Historic Resources (DHR) stated that they determined that there are no known properties of architectural, historical, archeological, engineering or cultural significance within the project area.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

7. An amendment request was received on January 13, 2014 to alter the boardwalk construction to allow for a lower boardwalk height to eliminate the need for guardrails along the entire board walk with the use of curbing.

8. To increase light penetration the deck board width will be reduced from 8-inches to 4-inches, deck board spacing will be increased from 1/4 inch to 3/8 to a maximum of 1/2 inches (and still meet Federal Trail Accessibility Guidelines), the supports will be changed from 8-inch piles with two (2) 2-inch x 6-inch cross supports to 2 3/8 helical anchors with a single cross support, and a radius will be created on all four sides of the deck boards.

9. The helical supports will be driven by hand with a portable hydraulic pier driver.

DES also makes the following additional findings:

10. The amendment results in a reduction of the size of the boardwalk and associated wetland impacts.

**2013-01625                      MILLER FAMILY TRUST**  
**GOFFSTOWN   Glen Lake**

**Requested Action:**

Retain work performed to a 5 ft. x 7 ft. concrete pad, a 8 ft. 6 in. x 7 ft. patio and dock anchor, and completely remove the roof and support beams from a 6 ft. x 9 ft. deck, all located in the bank, accessed by a 3 ft. x 15 ft. stair over the bank, with an existing 3 ft. 6 in. x 16 ft. seasonal dock, on Glen Lake, Goffstown.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

No comments from RIVERS Committee or Con Com by July 30, 2014

**APPROVE AFTER THE FACT:**

Retain work performed to a 5 ft. x 7 ft. concrete pad, a 8 ft. 6 in. x 7 ft. patio and dock anchor, and completely remove the roof and support beams from a 6 ft. x 9 ft. deck, all located in the bank, accessed by a 3 ft. x 15 ft. stair over the bank, with an existing 3 ft. 6 in. x 16 ft. seasonal dock, on Glen Lake, Goffstown.

**With Conditions:**

1. All work shall be in accordance with plans by Eric Mitchell and Associates revision dated September 30, 2014, as received by the NH Department of Environmental Services (DES) on October 02, 2014.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. The roof and support structures shall be completely removed by October 31, 2014, photographs shall be submitted to the Department showing the roof and beams removed by November 07, 2014.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure with no change in location, configuration, construction type, or dimensions is proposed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2014-01131                      ROCHESTER, CITY OF**  
**ROCHESTER   Unnamed Stream**

**Requested Action:**

Fill a total of 670 sq. ft. of wetlands in two locations for the widening of an existing roadway.

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**Conservation Commission/Staff Comments:**

**APPROVE PERMIT:**

Fill a total of 670 sq. ft. of wetlands in two locations for the widening of an existing roadway.

**With Conditions:**

1. All work shall be in accordance with plans by CMA Engineers, Inc. dated April 2014, as received by the NH Department of Environmental Services (DES) on May 13, 2014.
2. This permit is contingent upon the applicant obtaining easements for work on abutting properties. Copies of the easements shall be submitted to DES prior to starting work.
3. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Any temporary work areas shall be restored to original condition upon completion of work.
5. Any further alteration of areas on these properties that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated

that the roadway needs to be widened to increase public safety. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetlands are primarily common roadside ditches immediately adjacent to Salmon Falls Road and the proposal will maintain existing drainage patterns with reestablishing the roadside drainage after widening.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The Natural Heritage Bureau (NHB) has record of a sensitive species within the project vicinity, but NHB does not expect impacts to the species by the proposed project.

5. The Rochester Conservation Commission requested that a) the 15" culvert near Station 109 be reviewed to ensure the size is appropriate for present and future storm events and b) the outlet of the 15" culvert be improved (stabilization, disbursement, etc.) and provide treatment. In response, the applicants agent, CMA Engineers, Inc., explained that the 15" culvert is a capacity increase of over 50% from the existing 12" culvert. The applicant has designed a 4' deep sump catch basin prior to stormwater discharge to capture sediment and stormwater flow in the ditchline will provide some filtering/treatment prior to reaching the closed system.

**2014-02216                      LOUD, MARILYN**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Repair an existing "U" shaped permanent dock consisting of an 8 ft. 6 in. x 30 ft. full crib supported dock and a 4 ft. 8 in. x 30 ft. crib supported dock by replacing part of the crib under the smaller dock with piles, on Lake Winnepesaukee, Alton.

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**Conservation Commission/Staff Comments:**

No comments from Con Com by Oct 08, 2014

**APPROVE PERMIT:**

Repair an existing "U" shaped permanent dock consisting of an 8 ft. 6 in. x 30 ft. full crib supported dock and a 4 ft. 8 in. x 30 ft. crib supported dock by replacing part of the crib under the smaller dock with piles, on Lake Winnepesaukee, Alton.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 07, 2014, as received by the NH Department of Environmental Services (DES) on August 12, 2014.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This permit does not allow for dredging of boatslips. The crib shall be removed to match existing lakebed contours.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.



2. Pursuant to Rule Env-Wt 303.04(v) maintenance, repair, and replacement in-kind of existing docking structures, repair of the existing full crib supported docking structure would be classified as a minimum impact project.
3. The department considers piles less environmentally impacting than a crib supported structure.

**FORESTRY NOTIFICATION**

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**2014-02827                      GARABEDIAN, BARBARA/MARTIN**  
**CENTER TUFTONBORO   Unnamed Stream**

COMPLETE NOTIFICATION:  
Center Tuftonboro Tax Map# 32, Lot# 2

**2014-02829                      ESTATE OF WENDELL THOMPSON**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map# 112, Lot# 1

**2014-02831                      MCNAIR, JOHN**  
**MADISON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Madison Tax Map# 246, Lot# 8

**2014-02832                      WHEELER, DAVID/JOY**  
**MILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milford Tax Map# 40, Lot#s 17, 21 & 30

**2014-02833                      HEINO, ARTHUR**  
**NEWPORT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Newport Tax Map# 245, Lot# 21

**2014-02835                      VANDERHOOF, CHARLES**  
**CONWAY   Unnamed Stream**

Requested Action:  
Conway, Tax Map# 284, Lot# 14

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**2014-02842                      BAYROOT LLC**  
**DUMMER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dummer Tax Map# R-1, Lot# 2

**2014-02843                      NH DRED**  
**DUNBARTON   Unnamed Stream**

Requested Action:  
Dunbarton, Tax Map# 12, Lot# 02, Block# 02  
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**2014-02844                      SUNSHINE BAPTIST CHURCH**  
**NEWPORT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Newport Tax Map# 107, Lot# 19

**2014-02845                      ENNIS, RICHARD**  
**CANTERBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canterbury Tax Map# 241, Lot# 47

**2014-02846                      NORTHRUP, FRANK**  
**BRENTWOOD   Unnamed Stream**

Requested Action:  
Brentwood, Tax Map# 201, Lot# 013  
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**2014-02847                      NORTHRUP, FRANK**  
**EPPING   Unnamed Stream**

Requested Action:  
Epping, Tax Map# 037, Lot# 013  
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**2014-02860                      NEWCOMB, KENNETH**  
**ANDOVER   Unnamed Stream**

COMPLETE NOTIFICATION:

Andover Tax Map# 24, Lot# 212-357

**2014-02872                      DUQUETTE, RANDY**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton, Tax Map #266, Lot #4.1

#### ROADWAY MAINTENANCE NOTIF

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**2014-02821                      THOMAS, WILLIAM**  
**SALISBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace a 24" x 30' culvert.

**2014-02822                      NH DOT D1**  
**JEFFERSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace a 36"x60' RCP.

#### PERMIT BY NOTIFICATION

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**2014-02530                      NH DEPT OF TRANSPORTATION**  
**LEBANON   Great Brook**

##### Requested Action:

Temporarily impact 4,767 sq. ft. of perennial stream and banks to replace 20 feet of wall and install temporary scaffolding to replace the concrete slab on a 35 ft. span that is 35 ft. 8 in. wide. NHDOT project #29034

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##### Conservation Commission/Staff Comments:

Cons. Comm. - no comment

##### PBN IS COMPLETE:

Temporarily impact 4,767 sq. ft. of perennial stream and banks to replace 20 feet of wall and install temporary scaffolding to replace the concrete slab on a 35 ft. span that is 35 ft. 8 in. wide. NHDOT project #29034

**2014-02531 NH DEPT OF TRANSPORTATION  
HARRISVILLE Minnewawa Brook**

**Requested Action:**

Temporarily impact 2,690 sq. ft. of perennial stream, banks and palustrine wetlands to install temporary scaffolding to replace the concrete slab on a 20 ft. span that is 35 ft. wide.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comment

**PBN IS COMPLETE:**

Temporarily impact 2,690 sq. ft. of perennial stream, banks and palustrine wetlands to install temporary scaffolding to replace the concrete slab on a 20 ft. span that is 35 ft. wide. NHDOT project #29538

**2014-02638 PREVO REVOCABLE TRUST  
SUNAPEE Sunapee Lake**

**Requested Action:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

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**PBN IS COMPLETE:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2014-02758 BAYROOT LLC  
DUMMER Unnamed Wetland**

**Requested Action:**

Dredge and fill 128 square feet of wetlands to replace in-kind an existing 18" diameter culvert and a 24" diameter culvert.

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**PBN IS COMPLETE:**

Dredge and fill 128 square feet of wetlands to replace in-kind an existing 18" diameter culvert and a 24" diameter culvert.

**With Conditions:**

1. All work shall be in accordance with plans by Horizons Engineering LLC entitled Culvert 51 Replacement dated September 24, 2014, as received by DES on October 01, 2014 and plans entitled Culvert 61 Replacement dated September 24, 2014 revised 10/9/14, as received by DES on October 09, 2014.

**With Findings:**

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x).
2. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
3. The NH Natural Heritage Bureau commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

**2014-02796                      JOSEPH, SPENCER**  
**HEBRON   Newfound Lake**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated July 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans dated July 2014.

**2014-02797                      BROWN, BENJAMIN & DONNA**  
**CHICHESTER   Unnamed Pond**

Requested Action:

Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

**2014-02800                      RATCLIFFE, EDWARD**  
**BELMONT   Lake Winnepesaukee**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration, in accordance with plans dated September 30, 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration, in accordance with plans dated September 30, 2014.

**2014-02802                      MONTALTO, JACQUELINE**  
**BELMONT   Lake Winnepesaukee**

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration, in accordance with plans dated September 30, 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration, in accordance with plans dated September 30, 2014.

**2014-02806                      CURVEY PERSONAL RESIDENCE TRUST, JAMES  
ALTON   Lake Winnepesaukee**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 29, 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 29, 2014.

**2014-02807                      CURVEY 1998 ISSUE TRUST, SCOTT CURVEY  
ALTON   Lake Winnepesaukee**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 29, 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 29, 2014.

**2014-02808                      VARNEY, WYNN & LINDA  
ALTON   Lake Winnepesaukee**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 25, 2014.

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PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 25, 2014.

2014-02817

CUNNINGHAM, BARBARA

ALTON Lake Winnepesaukee

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 24, 2014.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated September 24, 2014.

2014-02819

GREEN, RONALD

PLAINFIELD Unnamed Pond

Requested Action:

Maintenance dredge 8,000 square feet of a man-made pond.

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PBN IS COMPLETE:

Maintenance dredge 8,000 square feet of a man-made pond.

With Conditions:

1. All work shall be in accordance with plans by R. Lobdell entitled Ronald Green Pond Maintenance Dredging as received by DES on October 06, 2014.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a) (3) Maintenance dredging that meets the criteria in Env-Wt 303.04(k).
2. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.

CSPA PERMIT

\*\*\*\*\*

**2014-02457                      CHICK, DEBORAH/DWIGHT**  
**BARRINGTON   Swains Lake**

Requested Action:

Impact 6,444 sq ft in order to raze existing house and build a new house.

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APPROVE PERMIT:

Impact 6,444 sq ft in order to raze existing house and build a new house.

With Conditions:

1. All work shall be in accordance with plans by Thomas D. Brouillette dated August 25, 2014 and received by the NH Department of Environmental Services (DES) on September 3, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,213 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-02543                      FORTE, DEB**  
**HAMPSTEAD   Island Pond**

Requested Action:

Impact 5,677 sq. ft. in order to construct a garage and add parking area.

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APPROVE PERMIT:

Impact 5,677 sq. ft. in order to construct a garage and add parking area.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates dated July 1, 2014 and received by the NH Department of Environmental Services (DES) on September 10, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. A stormwater management system shall be implemented and maintained which is designed to infiltrate increased stormwater from development per RSA 483-B:9 V.(g)(2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or



- contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-02559                      ERIK P NIKODEM 2014 TRUST**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Impact 13,180 sq ft in order to demolish existing house and rebuild a new home, detached garage, new parking area, walkway, pervious -patio, new retaining walls and replacement of old stone walls and landscape planting.

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APPROVE PERMIT:

Impact 13,180 sq ft in order to demolish existing house and rebuild a new home, detached garage, new parking area, walkway, pervious -patio, new retaining walls and replacement of old stone walls and landscape planting.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated September 2014 and received by the NH Department of Environmental Services (DES) on October 7, 2014.
2. No more than 20.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. At least 448 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-02560                      PRAKKEN, MICHAEL/SUSAN**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 4,896 sq ft in order to remove existing house, garage, and shed and replace with a new house meeting setback requirements, a garage with an apartment, and new septic system.

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APPROVE PERMIT:

Impact 4,896 sq ft in order to remove existing house, garage, and shed and replace with a new house meeting setback requirements, a garage with an apartment, and new septic system.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated September 1, 2014 and received by the NH Department of Environmental Services (DES) on September 11, 2014.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 33.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-02580                      HART, MONICA/RICHARD**  
**BRISTOL   Newfound Lake**

Requested Action:

Impact 2,651 sq ft in order to demolish existing structure and replace with a new structure.

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APPROVE PERMIT:

Impact 2,651 sq. ft. in order to demolish existing structure and replace with a new structure.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated September 2014 and received by the NH Department of Environmental Services (DES) on September 12, 2014.
2. No more than 29.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-02586                      BALLARD, JERI**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Impact 4,602 sq ft in order to construct a walkway and terrace to stabilize bank and reduce erosion.

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APPROVE PERMIT:

Impact 4,602 sq ft in order to construct a walkway and terrace to stabilize bank and reduce erosion.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated September 8, 2014 and received by the NH Department of Environmental Services (DES) on September 12, 2014.
2. No more than 22.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 891 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**UTILITY NOTIFICATION**

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**2014-02879                      NATIONAL GRID**  
**BENTON   Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Maintenance/repair on tower structures #203-193 along the A201 transmission line and tower structures #206-195 along the B202 transmission line.

**2014-02880                      NATIONAL GRID**  
**WARREN   Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Maintenance/repair on tower structures #204-263 along the A201 transmission line and tower structures #207-266 along the B202 transmission line.

**2014-02881                      NATIONAL GRID**  
**HAVERHILL   Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Maintenance/repair on tower structures #117-192 along the A201 transmission line and tower structures #117-194 along the B202 transmission line.

**2014-02882                      NATIONAL GRID**  
**LYMAN   Unnamed Wetland**

**COMPLETE NOTIFICATION:**

Maintenance/repair on tower structures #46-50 along the A201 transmission line and tower structures #45-51 along the B202 transmission line.

**2014-02883**

**NATIONAL GRID**

**MONROE Unnamed Wetland**

COMPLETE NOTIFICATION:

Maintenance/repair on tower structures #45-1 along the A201 transmission line and tower structures #44-1 along the B202 transmission line.